

Memorandum

Date : October 1, 2002
Telephone: (916) 657-4394
ATSS

To : William J. Keese, Chairman and Presiding Member
Robert Pernell, Commissioner and Associate Member

From : **California Energy Commission - Cheri Davis**
1516 Ninth Street Energy Commission Project Manager
Sacramento, CA 95814-5512

Subject : EAST ALTAMONT ENERGY CENTER ERRATA TO THE FINAL STAFF ASSESSMENT

After publication of the East Altamont Energy Center Final Staff Assessment / Environmental Assessment, staff identified a few errors and omissions to the document. Attached is staff's proposed corrections to these errors and omissions. This errata is being filed to meet the Committee's schedule put forth in the Notice of Prehearing Conference and Scheduling Order of August 21, 2002.

Enclosures

cc: East Altamont Proof of Service
Agency List

EXECUTIVE SUMMARY

Page 1-8 – Second to last paragraph on page, last sentence

Change reference to COM-8 to “COM-9”

BIOLOGICAL RESOURCES

Page 5.2-27 – Last two paragraphs on page

There should be no paragraph break between the words “Mountain” and “House.”

Page 5.2-28 – Last paragraph, third sentence

For clarification, please note the following change:

~~A~~However, a kit fox den was identified less than 2,000 feet from the area of the proposed water source and, as such, there is still the potential for impacts at that location.

Page 5.2-37 – Habitat Mitigation

There should be no paragraph break between the words “the” and “Gomes.”

HAZARDOUS MATERIALS

Page 5.4-16 – Security Issues, last sentence of paragraph

Change reference to COM-8 to “COM-9”

NOISE

Page 5.6-20 – LORS COMPLIANCE

The following changes should be made for clarification of staff’s intent:

LORS COMPLIANCE

Alameda County has registered disagreement with staff’s interpretation of the Alameda County Noise Ordinance. This Ordinance states that “It is unlawful...to create any noise...which causes the exterior noise level when measured...to exceed the noise standards...” “These standards, for residential and school properties, are 50 dBA L₅₀ during the daytime and 45 dBA L₅₀ during the nighttime.

The Directors of the County Development Agency and Environmental Health Services Department disagreed with staff’s interpretation. Their letter of December 17, 2001, stated that the noise standard of the Noise Ordinance “...does not specify a standard for ambient cumulative noise levels...but only for source-specific noise.”

VISUAL RESOURCES

Attached Figures

Remove Figures 8 and 9 (depicting plumes) and replace with the attached Figure 8: Conceptual Landscape Diagram.

Page 5.12-37& 38 – Applicant’s Proposed Mitigation (item #3 and #4)

The following corrections should be made:

3. Placement of landscaping consisting variously of rows and informal groupings of deciduous and evergreen trees and shrubs along the site perimeter (see **VISUAL RESOURCES Figure 408**). Specifically, the landscape plan would include:
 - Along the eastern side and much of the northern and southern sides: A staggered double row of lombardy poplars and informal groupings of river she oaks.
 - Along the western portion of the northern and southern sides: A double row of California pepper trees and informal groupings of western redbud and toyon.
 - Along the western side: A dense row of Pacific wax myrtle and informal groupings of evergreen native shrubs consisting of manzanita, coffeeberry, and sugar bush.
- ~~4. ing the switchyard on the southern side (in addition to [a] above): Pacific wax myrtle. Color treatment of fences to blend with the surrounding environment.~~
- Along the switchyard on the southern side (in addition to [a] above): Pacific wax myrtle.
4. Color treatment of fences to blend with the surrounding environment.

WORKER SAFETY AND FIRE PROTECTION

Page 5.15-4 – paragraph 4, line 9.

Add the following:

The applicant has agreed to fund the move of Station 8 in the amount of \$2,500,000 along with an additional amount of \$500,000 to fund enhanced emergency services. This agreement has been included in proposed Condition of Certification WORKER SAFETY-3.

Page 5.15-5 – paragraph 2, line 14.

Add the following:

As part of the agreement between the applicant and Alameda County, \$500,000 will be available for funding enhanced emergency services. Although the precise nature

of the emergency services has yet to be determined, Alameda County officials (Alameda County 2002) have indicated that these funds might be used to purchase a helicopter for use on the East Side of Altamont Pass for structural and wildland fire-fighting as well as EMS response.

Page 5.15-14 – Conclusions and Recommendations, paragraph 1, line 10.

Add the following:

Staff thus proposes condition of certification WORKER SAFETY-3 wherein an agreement must be reached between the project owner and Alameda County to provide the County with \$2,500,000 for the relocation of Fire Station 8 and \$500,000 for enhanced emergency services.

Page 5.15-16

Add a new condition of certification:

WORKER SAFETY-3: The project owner shall enter into an agreement with Alameda County for fire protection services. This agreement shall provide for the project owner to pay \$2,500,000 for the relocation of Fire Station 8 and \$500,000 for enhanced emergency response services.

Verification: At least 30 days prior to the start of site preparation activities, the project owner shall submit to the CPM a copy of the final executed Agreement between Alameda County and the Project Owner.

Page 5.15-16 – References

Add a new first reference:

Alameda County. 2002. Personal communication with Mr. Adolph Martinelli. September 26, 2002.

GENERAL CONDITIONS

Page 8-8 – Construction and Operation Security Plan COM-9

Certain elements of the security plan, referenced in both the Executive Summary and in the Hazardous Materials sections of the FSA/EA, were inadvertently left out of COM-9. The following changes should be made to correct this error:

CONSTRUCTION AND OPERATION SECURITY PLAN, COM-9

Prior to commencing construction, a site-specific Security Plan for the construction phase shall be developed and maintained at the project site. ~~Prior to commercial operation,~~ At least sixty (60) days prior to the initial receipt of hazardous materials on-site, a site-specific Security Plan and Vulnerability Assessment for the operational phase shall be developed and maintained at the project site. ~~The plans may be reviewed at the site by the CPM during compliance inspections. The project owner shall notify the CPM in writing that the Plan is available for review and approval at the project site.~~

Construction Security Plan

The Construction Security Plan must address:

1. site fencing enclosing the construction area;
2. use of security guards;
3. check-in procedure or tag system for construction personnel and visitors;
4. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency; and
5. evacuation procedures.

Operation Security Plan

The Operations Security Plan must address:

1. permanent site fencing and security gate;
2. use of security guards;
3. security alarm for critical structures;
4. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency;
5. evacuation procedures;
6. perimeter breach detectors and on-site motion detectors;
7. video or still camera monitoring system; and
8. fire alarm monitoring system.
9. site personnel background checks.
10. site access for vendors and requirements for Hazardous Materials vendors to conduct personnel background security checks.
11. In addition, the project owner shall prepare a Vulnerability Assessment and implement site security measures addressing hazardous materials storage and transportation consistent with US EPA and US Department of Justice guidelines.

The CPM may authorize modifications to these measures, or may require additional measures depending on circumstances unique to the facility, and in response to industry-related security concerns.

PREPARATION TEAM

Page 9-1

Add the following names to the Preparation Team list:

Executive Summary.....Cheri Davis and Paul Richins
Traffic and Transportation – Appendix A:
Cooling Tower Plume Ground Level Fogging AnalysisWilliam Walters and Lisa Blewitt
Visible Plumes – Modeling Results William Walters
Visible Plumes – Impacts Analysis.....Dale Edwards

DECLARATIONS AND RESUMES

See attached for declarations and resumes that were inadvertently omitted from the original document.